

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JAMES E. BAY,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:06-CV-306
)	(VARLAN/GUYTON)
FAIRFIELD RESORTS, INC. and)	
CENDANT TIMESHARE RESORT)	
GROUP, INC.,)	
)	
Defendants.)	

ORDER

This civil action is before the Court pursuant to 28 U.S.C. § 636(b), the Rules of this Court, and by Order [Doc. 34] of the Honorable Thomas A. Varlan, United States District Judge, for disposition of Defendants' Motion to Quash Plaintiff's Subpoena and Notice of Deposition to Geoff Geddes. [Doc. 31] Defendants move the Court to quash the Subpoena [Doc. 29] and Notice of Deposition [Doc. 28] as to Geoff Geddes.

After reviewing the subpoena at issue, the Court notes that the subpoena was issued out of the Federal District Court for the Eastern District of Tennessee, but the deposition is set to occur in Orlando, Florida. [Doc. 29] The Federal Rules of Civil Procedure require that a subpoena be issued "from the court where the deposition is to be taken." Fed. R. Civ. P. 45(a)(2)(B). Needless to say, Orlando, Florida is not located within the Eastern District of Tennessee.

Accordingly, for good cause shown, defendants' motion [Doc. 31] is hereby **GRANTED** and the notice of deposition [Doc. 28] and subpoena [Doc. 29] as to Geoff Geddes are hereby **QUASHED**.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge